IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.318 OF 2007

Mohd. Islam Abdul Rehman ...Petitioner

V/s.

The State of Maharashtra & Ors. ...Respondents

Mr.Ditendra Mishra for Petitioner.

CORAM : V.M. KANADE, J.
DATED : 17th APRIL, 2007.

P.C.:

1. Heard learned counsel for the Petitioner.

2. The petitioner is challenging the order passed by the Chief Officer in application made by the Petitioner for including his name in the list of semi-residents for getting commercial premises in the building which is to be constructed in Slum Rehabilitation Scheme.

3. The learned counsel for the Petitioner submits that the Chief officer has erred in holding that he was not carrying on business in the said premises. He has relied on electricity bill and bill issued by the Profession Tax Officer dated 3rd January, 1990 in which it is stated that the amount of Rs.550/- was not paid towards

professional tax in the year 1988-89 and 1989-90. He also relied on the show cause notice which was issued under sub section(5) of Section 5 of the Maharashtra State Tax on Professions, Trades, Callings and Employments Act, 1975. None of these documents establish that the Petitioner was carrying on business in the said premises after 1990.

4. In my view, there is no infirmity in the order which is passed by the Chief Officer. Chief officer has held that the petitioner is eligible for being considered for allotment of residential premises and has rejected the application of the Petitioner where application was made by him regarding his eligibility as semi-resident. There is no infirmity in the said order. In my view, no case is made out for interfering with the said order while exercising the writ jurisdiction under Article 226 of Constitution of India.

. Writ Petition is dismissed in limine.

V.M. KANADE, J.